

REDACTED

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No. 05-44
)
KIMBERLY A. BARNETT,)
)
Defendant.)

INDICTMENT

The Grand Jury for the District of Delaware charges that:

COUNT ONE

On or about December 16, 2004, in the State and District of Delaware, Kimberly A. Barnett, defendant herein, being an unlawful user of a controlled substance, did knowingly possess in and affecting interstate commerce, a firearm, to wit, a Remington, Model 1100, semi-automatic action, 12 gauge shotgun, serial number N877620V, in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT TWO

On or about December 20, 2004, in the State and District of Delaware, Kimberly A. Barnett, defendant herein, in connection with the attempted acquisition of a firearm, to wit, a Remington, Model 1100, semi-automatic action, 12 gauge shotgun, serial number N877620V, from a federally licensed dealer, Milford Pawn, Inc., located at 358 Milford- Harrington Highway, Milford, Delaware, did knowingly make false statements intended and likely to deceive Milford Pawn, Inc. with respect to facts material to the lawfulness of the sale of the firearm, by falsely stating that she was not under indictment or information in any court for a felony, or any other crime, for which she could be

imprisoned for more than one year, when in fact, defendant knew that she was charged by information in the Superior Court of the State of Delaware in and for Sussex County with ten counts of forgery in the second degree, a crime for which she could be imprisoned for more than one year, and by stating that she was not an unlawful user of, or addicted to a controlled substance, when in fact, she was an unlawful user of or addicted to a controlled substance, in violation of Title 18, United States Code Section 922(a)(6) and 924(a)(2).

A TRUE BILL:

[Redacted]
Foreperson

COLM F. CONNOLLY
UNITED STATES ATTORNEY

Ferris W. Wharton
Ferris W. Wharton
Assistant United States Attorney

Dated: 5/12/05